

Lead Industries Association, Inc.

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NOTES FROM LIA ENVIRONMENTAL HEALTH & REGULATORY ACTIVITIES COMMITTEE MEETING

JUNE 26, 1996
WASHINGTON, DC

ATTENDEES

A list of the participants at the meeting is attached.

FEDERAL REGULATORY

VOLUNTARY INDUSTRY/OSHA INITIATIVE

The response from LIA members regarding the voluntary industry initiative to lower blood lead removal levels over a five year period has been overwhelming. Currently, twenty-six members of LIA have signed the agreement and several more have indicated their intent to sign. We expect all major lead producers and consumers to be part of the program. Further contacts have been made with OSHA staff regarding a joint press release. We expect to have a meeting with OSHA during the week of July 8 in order to propose the initiative formally and then issue a joint press release with OSHA.

EPA DIALOGUE GROUP MEETINGS

EPA has conducted a series of dialogue sessions with stakeholders as a preliminary step to proposing lead standards for paint, soil and dust. These meetings concluded in May and included representation from LIA. It is expected that proposed regulations will not come out until the Spring of 1997 with final regulations expected toward the end of that year or possibly early in 1998. LIA continues to be vigilant on this process since it would appear that EPA will include an analysis of IQ loss as a basis for the regulation. IQ loss calculations can then be translated into earnings losses and such conclusions could be further used as a basis for other adverse regulatory proposals.

PROPOSED HUD GUIDELINES

Recently proposed HUD guidelines on soil and paint standards call for comments by September 5, 1996. LIA's concern is regarding potential conclusions as to earnings loss from IQ deficits caused by lead exposure, which will be an issue in this proceeding. Ethyl Corporation is in the midst of a study on the underlying question of the significance of IQ deficits allegedly attributable to lead exposures, and this analysis is expected to be done by the end of the summer. The LIA Environmental Health & Regulatory Activities Committee recommended that LIA seek an outside consultant to conduct an analysis of the economic conclusions concerning IQ deficits. Staff will determine what funds are necessary and if they are currently available in the budget.

THREE CITIES REPORT

The summary and individual reports of the Three Cities Soil Abatement Study are available for the public. Unfortunately the database is not yet available and requests to receive it have resulted in a host of odd explanations. The Boston study is the only one to show a lowering of blood leads as a result of soil lead abatement suggested by EPA, but only after

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certain data have been excluded and numerous caveats have been added to the conclusion. The LIA Environmental Health & Regulatory Activities Committee recommended that LIA follow-up with a formal response to the report. Inquiries will be made to determine if ILZRO already has funds to produce an analysis of the database once it is made available for review. Meanwhile, LIA will pursue efforts to obtain the database.

CENTERS FOR DISEASE CONTROL

A majority of members of the CDC Advisory Committee on Childhood Lead Poisoning recommend that CDC formally adopt 10 µg/dl as "childhood lead poisoning." A few vocal members of the committee have raised objections to this definition. LIA will monitor further developments and comment accordingly.

TOXIC CHARACTERISTIC LEVEL

In the preamble to proposed HWIR rules, EPA acknowledged that the dilution attenuation factor (DAF) for lead was too low. In subsequent discussions with EPA, staff has advised LIA that changing the DAF is a low priority item. LIA has sent a letter to many trade associations asking them to indicate their interest in participating in a coalition to approach EPA on this matter.

OSHA INJURY/ILLNESS COMMENTS

In response to an OSHA proposal to lower the injury/illness reporting blood lead level to 40 µg/100g, LIA has submitted written comments challenging OSHA's authority to establish the new lower level.

MANAGEMENT OF CONTAMINATED MEDIA

LIA is reviewing an EPA proposal to establish 4000 parts per million as a "bright-line" level for managing lead contaminated media. Brief comments will be filed prior to the July 29 deadline.

CRITICAL TECHNOLOGIES

Jane Luxton advised the committee that the 1995 version of the Critical Technologies Report includes 7 categories and 27 areas, the majority of which include lead uses. Bob Harris requested that a paper highlighting lead uses for critical technologies, be prepared for distribution to the press and Capitol Hill. Duffy will circulate a first draft for review.

ACGIH

LIA has until October, 1996 to file additional comments regarding ACGIH's decision to identify 30 as the new level of health effects for adults in the workplace. Jane Luxton and Bob Putnam will review the available science and determine what additional comments can be made.

FEDERAL LEGISLATIVE

SAFE DRINKING WATER AMENDMENTS

Language has been included in both the Senate and the House passed bills that will allow the continued use of lead pipe for industrial applications and will identify the point of sale as the proper location for restrictions on the sale of lead solder for water lines. Committee report language was included in the House bill (H.R. 3604) clearly stating that it is the intention of any restrictions on lead pipes or plumbing fittings or fixtures to apply only to the delivery of potable water and not to manufacturing or industrial uses, or sewer systems. Efforts will continue to work for the inclusion of similar language in the Conference Report.

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SUPERFUND

Major Superfund reform is all but dead for the remainder of this Congressional session. Bob Harris will continue to monitor any further developments and dialogue with other industry sectors including ISRI to ensure that LIA's concerns are met. He cautioned that as Superfund has expired, we need to be vigilant about any efforts to expand of the Superfund tax.

INTERNATIONAL

OECD

Several members of the international lead producing community met early in June and have agreed to fund the initiation of the International Lead Management Center under the half-time direction of Craig Boreiko of ILZRO. LIA committee members expressed concern that this effort needs to succeed in order to demonstrate industry's commitment to lead risk management.

GENERAL INTERNATIONAL ACTIVITIES

Jeff Miller and Ed Seeger met with two EPA representatives earlier in June to discuss the U.S. and EPA agenda with respect to lead at other international meetings. The EPA representatives indicated that the U.S. would not sign any international agreement that goes beyond U.S. law and existing regulation, or regulations EPA is "authorized" to adopt (a concept they had some difficulty explaining). They offered industry a seat on the U.S. delegation to the UNECE process. LIA committee members are especially interested in the international arena since such action can lay the groundwork for restrictions based on factors other than unreasonable risk. Likewise, even though the U.S. delegation may not sign nor support such an agreement, international efforts may go into effect anyway, such as the Basel initiative, and generate complications for the industry.

STATE ACTIVITIES

CALIFORNIA REL

We have been advised that a new review of health effects issues by California authorities was to have taken place in June, followed by a public comment period and submittal to the Scientific Review Panel in September 1996. It appears the deadline has slipped, and the ultimate action taken by the Air Resources Board may not occur until well into 1997. Nevertheless, we can expect a new staff proposal and comment period later this summer. Jane Luxton cautioned that while some progress has been achieved, the California bureaucracy seems unwilling to change its mind on this issue, and is determined to make adverse health effects findings on lead. It is important to note that LIA's budget for this activity has been already exceeded. Any substantial further work in 1996 will need additional funding sources.

CALIFORNIA RISK ASSESSMENTS

Comments have been drafted and submitted to California on recommendations regarding the policies and methods used by California to conduct chemical risk assessments. The California REL proceeding has been used as an example of risk assessment gone amuck.

BALTIMORE LITIGATION

Dan Vornberg reported that a lawsuit involving LIA and Doe Run in Baltimore concerning lead paint has been dismissed.

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GENERAL UPDATE

Bob Putnam reported that most states have either shut down legislative operations or are concluding their legislative sessions prior to the summer recess. Activities over the last 18 months focused heavily on environmental audit, environmental justice and lead paint-related bills. LIA was active in addressing several state proposals that would have created inaccurate numeric definitions of either childhood or adult lead poisoning.

MISCELLANEOUS

MEDIA ACTIVITIES

Jerry Cooper and Judith Webb provided a brief report on media relations activities. For more detailed information refer to the notes from the Communications Committee meeting.

OTHER MEETINGS

1. September 17 - 20, 1996 -- LIA 18th Annual Occupational Lead Health Conference
2. November 7 - 8, 1996 -- LIA Share Purchase Meetings

NEXT COMMITTEE

A precise date for the next committee meeting has not yet been set. It will most likely be scheduled for September and will highlight a preview of suggested projects for Share Purchase funding in 1997.

(7/3/96)

JTM/kb

cc:

J.F. Smith

LIA Environmental Health & Regulatory Activities Committee

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ATTENDEE LIST
LIA ENVIRONMENTAL HEALTH
& REGULATORY ACTIVITIES COMMITTEE
WASHINGTON, DC

<u>NAME</u>	<u>COMPANY</u>
Jean Beaudoin	JCBGI
Jerry Cooper	ASARCO
Carrie Crossfield	NUTTER & HARRIS
John De Paul	RSR
Steve Emmons	GNB
Bob Harris	NUTTER & HARRIS
Tim Lafond	JOHNSON CONTROLS
Jane Luxton	SEEGER POTTER ET AL.
John Meiman	HAMMOND GROUP, INC.
Jeff Miller	LIA
Gary Mitchener	HAMMOND GROUP, INC.
Bob Putnam	PUTNAM ENVIRONMENTAL SERVICES
Emil Romagnoli	ASARCO
Ed Seeger	SEEGER POTTER ET AL.
Jill Sigal	CONSULTANT FOR ASARCO
Dan Vornberg	DOE RUN
Judith Webb	DUFFEY
Alan Whittingham	ETHYL
Chuck Yanke	VULCAN LEAD PRODUCTS

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